

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

v.

**5:08-CR-407
(FJS)**

ROBERT ANDERSON a/k/a Skip,

Defendant.

ORDER

Currently before the Court is Defendant's motion, pursuant to Rule 11(d)(2)(B) of the Federal Rules of Criminal Procedure, to withdraw his guilty plea to the Information. *See* Dkt. No. 5. The Government does not oppose this motion. *See* Dkt. No. 6.

On July 24, 2008, Defendant entered into a plea agreement with the Government, appeared before the Court, and entered pleas of guilty to the Information in this case¹ and to Count Twelve of the Indictment in 5:08-CR-61.² *See* Dkt. No. 3; *see also* 5:08-CR-61, Dkt. No. 17.

Since the Government has no objection to Defendant's motion and because the Court finds that Defendant has shown "a fair and just reason for requesting the withdrawal" of his guilty plea in this case, Fed. R. Crim. P. 11(d)(2)(B), the Court hereby

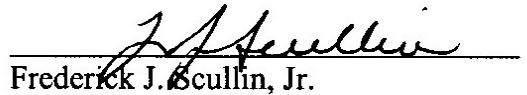
¹ The Information in 5:08-CR-407 charged Defendant with a conspiracy to commit mail and wire fraud in violation of 18 U.S.C. § 371.

² Count 12 of the Indictment in 5:08-CR-61 charged Defendant with being a convicted felon engaged in the business of insurance in violation of 18 U.S.C. § 1033(e)(1)(A).

ORDERS that Defendant's motion to withdraw his guilty plea to the Information in 5:08-CR-407 is **GRANTED**.

IT IS SO ORDERED.

Dated: October 28, 2009
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge